

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

**RHONDA P. LEY, Regional Director of the
Third Region of the National Labor Relations Board,
for and on behalf of the
NATIONAL LABOR RELATIONS BOARD**

Petitioner

v.

CIVIL NO. 1:16-cv-1279 (FJS/DJS)

ASGS MANAGEMENT CORP.

Respondent

**PETITIONER’S MOTION TO DETERMINE SECTION 10(j) INJUNCTION
PETITION ON BASIS OF AFFIDAVITS AND
DOCUMENTARY EVIDENCE**

Rhonda P. Ley, Regional Director of the Third Region of the National Labor Relations Board, (“Board”), for and on behalf of the Board, pursuant to Fed. R. Civ. P. 6(c) and Local Rule 7(a)(4), by the undersigned counsel, hereby moves this honorable Court for an Order declaring that Petitioner’s request of this Court for a temporary injunction, as set forth in Petition for Injunction under Section 10(j) of the National Labor Relations Act, as amended, filed concurrently with this Motion, be decided solely on the basis of affidavits and documentary evidence submitted by the Petitioner and Petitioner submits that determining this case on the basis of the above evidence can both expedite the proceeding and conserve the resources of the Court and the parties.

In support of this motion, Petitioner submits a supporting declaration of Jessica L. Noto, Esq. and a supporting legal memorandum.

Respectfully submitted this 26th day of October, 2016.

/s/ Jessica L. Noto

JESSICA L. NOTO

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